

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
WELLS FARGO BANK, N.A. et al.,

Plaintiffs,

v.

ACROPOLIS GARDENS REALTY CORP. et al.,

Defendants.
-----X

WILLIAM F. KUNTZ, II, United States District Judge:

On August 14, 2019, non-party RL&A Services, Inc. ("RL&A"), filed a letter-motion in this now-closed mortgage foreclosure action for leave to commence a state court lawsuit against defendant-mortgagor Acropolis Gardens Realty Corp. ("AGRC"). *See* ECF No. 122. On August 15, 2019, the Court referred this motion to Chief Magistrate Judge Roann L. Mann for a Report and Recommendation. *See* ECF No. 124.

On October 2, 2019, Judge Mann filed a Report and Recommendation recommending the Court grant RL&A permission, pursuant to paragraph (nn) of the Appointment Order, to initiate a state court proceeding against AGRC, but not against the Receiver. *See* ECF No. 136. Objections to the Report and Recommendation were due October 16, 2019, and to date, no objections have been filed.

RD 11/21/19
JT

FILED

IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ NOV 21 2019 ★

BROOKLYN OFFICE

DECISION & ORDER

18-CV-5498 (WFK)

The Court reviews a Report and Recommendation for clear error when no objections have been filed. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). We find no such error here. The Court therefore adopts the Report and Recommendation of Judge Mann in its entirety.

SO ORDERED.

s/WFK

~~HON. WILLIAM F. KUNTZ, II~~
United States District Judge

Dated: November 19, 2019
Brooklyn, New York